



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : WP(C)/369/2018

1:SHRI TAKING GAMMI AND ANR. S/O SHRI TAKIR GAMMI, R/O
VILLAGE KAYING, PO/PS KAYING, DIST. SIANG, AP, MOBILE NO.
9402970422

2: SHRI TAKIR GAMMI S/O LT. T.GAMMI R/O VILLAGE KAYING
PO/PS KAYING DIST. SIANG AP

VERSUS

1:THE STATE OF A.P. AND 5 ORS. THROUGH THE CHIEF SECRETARY,
GOVT. OF AP, ITANAGAR.

2:THE SECRETARY POWER GOVT. OF AP ITANAGAR.

3:THE CHIEF ENGINEER POWER
EASTERN/CENTRAL/WESTERN/TRANSMISSION PLANNING and
MONITORING ZONE GOVT. OF AP.

4:THE DEPUTY COMMISSIONER SIANG DIST. PANGIN PO/PS PANGIN
AP.

5:THE EXECUTIVE ENGINEER RUMGONG DIVISION POWER
ELECTRICAL RUMGONG DIVISION SIANG DIST. AP.

6:THE ASSISTANT ENGINEER POWER ELECTRICAL KAYING SUB
DIVISION SIANG DIST. AP

**Advocate for the Petitioners : Ms. N. Danggen, O. Duggong, O. Perme,
T. Tatak, D. Taggu**

Advocate for the Respondent : GA (AP), L. Perme, SC (Power)

**BEFORE
HONBLE MR. JUSTICE NANI TAGIA**

Date of judgment & order : 20.07.2023

JUDGMENT & ORDER (Oral)

Heard Ms. N. Danggen, learned counsel for the petitioners. Also heard Ms. P. Pangu, learned Junior Government Advocate for the respondent nos. 1 & 4 and Mr. L. Perme, learned Standing counsel for the Power Department, representing the respondent nos. 2, 3, 5 & 6.

2. The petitioners, 2 (two) in numbers, contending that fire incident at Kerang-I village occurred on 11th May, 2017, wherein, a total number of 29 houses were burned down and that fire incidents at Kerang-I village occur frequently, have filed this writ petition praying for direction to the respondent authorities to conduct an independent enquiry into the actual cause of the fire incident occurred on 11th May, 2017 and whether proper LT Poles and wiring has been erected so as to prevent any further loss of life and property as per norms and schemes said to be implemented.

3. Also prayed for, is a direction to the State respondents to conduct an independent enquiry into whether the improper erection of LT Line or insufficient erection of LT Poles despite money sanctioned under schemes led to the fire incident and if so, to take appropriate action, including disciplinary action, against the erring officials and other persons concerned who are responsible for the same and take appropriate action as per law.

4. The respondent nos. 1 & 4 and 2, 3, 5 & 6 have filed their counter-affidavit.

5. From the materials placed on record, I find that at page 22 of the writ petition, the petitioner themselves have enclosed an Enquiry Report conducted by the Police in which enquiry report, it has been stated that one Shri Tamon Riyang from whose house, the fire originated have been fully examined. It has also been stated that during the enquiry, many sources were engaged to ascertain the cause of fire but in spite of that, the exact cause as to why the fire originated could not be established. Another enquiry report dated 14.07.2017 initiated and conducted by the Department of Power have also been enclosed by the writ petitioner at page 55 of the writ petition, wherein, the committee also opined that the exact cause of the fire was due to negligence of the owner of the house, namely, Shri Tamon Riyang, rather than electric short circuit.

6. Though the petitioners have sought for an enquiry regarding the fire incident, dated 11th May, 2017 at Kerang-I village, the petitioners have not indicated in their pleading as to under which provision of law, such enquiry can be ordered by this Court.

7. In view of the 2 (two) enquiry reports, mentioned hereinabove, one by the Police and another by the Department of power, I am of the view that no direction can be given for making another enquiry on the fire incident that took place on 11th May, 2017 at Kerang-I village.

8. The writ petition is disposed of, in terms above.

JUDGE

Comparing Assistant